

EXHIBIT D

Elaine Duncan

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF WEST VIRGINIA
3 AT CHARLESTON
4 IN RE: ETHICON, INC. : Master File No.
5 PELVIC REPAIR SYSTEM : 2:12-MD-02327
6 PRODUCTS LIABILITY LITIGATION : MDL 2327
7 :
8 :
9 : JOSEPH R.
10 THIS DOCUMENT RELATES TO : GOODWIN
11 THE FOLLOWING CASES IN : US DISTRICT
12 WAVE 1 OF MDL 200: : JUDGE

13

14 Myra Byrd, et al. v. Ethicon, Inc., et al.
15 Civil Action No. 2:12-cv-00748
16 Angela Coleman, et al. v. Ethicon, Inc., et al.
17 Civil Action No. 2:12-cv-01267
18
19 Dina Destefano-Raston, et al. v. Ethicon, Inc., et al.
20 Civil Action No. 2:12-cv-01299
21 Rose Gomez, et al. v. Ethicon, Inc., et al.
22 Civil Action No. 2:12-cv-00344
23
24 Dawna Hankins v. Ethicon, Inc., et al.
25 Civil Action No. 2:12-cv-00369
26 Donna Hankins, et al. v. Ethicon, Inc., et al.
27 Civil Action No. 2:12-cv-01011
28
29 Wilma Johnson v. Ethicon, Inc., et al.
30 Civil Action No. 2:11-cv-00809
31 Debra Lynn Joplin v. Ethicon, Inc., et al.
32 Civil Action No. 2:12-cv-00787
33
34 Margaret Kirkpatrick v. Ethicon, Inc., et al.
35 Civil Action No. 2:12-cv-00746
36 Paula Kriz, et al. v. Ethicon, Inc., et al.
37 Civil Action No. 2:12-cv-00938
38
39 Miranda Patterson v. Ethicon, Inc., et al.
40 Civil Action No. 2:12-cv-00481
41 DEPOSITION OF ELAINE DUNCAN
42 MARCH 31, 2016

Elaine Duncan

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(Caption Continued from Previous Page)

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3 Denise Sacchetti v. Ethicon, Inc., et al.

Civil Action No. 2:12-cv-01148

4

Stacy Shultis, et al. v. Ethicon, Inc., et al.

5

Civil Action No. 2:12-cv-00654

6

Jennifer Sikes, et al. v. Ethicon, Inc., et al.

Civil Action No. 2:12-cv-00501

7

Sheri Scholl, et al. v. Ethicon, Inc.

8

Civil Action No. 2:12-cv-00738

9

Carrie Smith v. Ethicon, Inc., et al.

Civil Action No. 2:12-cv-00258

10

Krystal Teasley, et al. v. Ethicon, Inc., et al.

11

Civil Action No. 2:12-cv-00500

12

Lisa Thompson, et al. v. Ethicon, Inc., et al.

Civil Action No. 2:12-cv-01199

13

Robertta Warmack, et al. v. Ethicon, Inc., et al.

14

Civil Action No. 2:12-cv-01150

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Deposition of

Elaine Duncan

Thursday, March 31, 2016

10:20 a.m.

19

20 Reported by:

Barbara J. Carey, RPR

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GOLKOW TECHNOLOGIES, INC.

877.370.3377 ph | 917.591.5672 fax

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deps@golkow.com

Elaine Duncan

1 A. I believe I referenced the AUGS statement,
2 A-U-G-S.

3 BY MR. WALLACE:

4 Q. Well, you -- you also referenced the FDA in
5 your deposition before. You said -- you referenced the
6 AUGS Organization, and even the FDA that, "I would be
7 foolhardy to suggest that there was a better way to make
8 this product."

9 Do you recall making, generally, a statement
10 like that?

11 A. I don't recall that exact wording. If you
12 want to read it to me, I don't --

13 Q. Well, let me ask you generally.

14 You would agree with me that you have taken
15 into account what the FDA has done in the past with
16 respect to both mesh and PROLENE in coming up with your
17 opinions; right?

18 MR. DAVIS: Object to the form.

19 A. I've taken into account all aspects of the use
20 of the material, including hernia applications, and so
21 that would include any regulatory approvals in any
22 country.

23 BY MR. WALLACE:

24 Q. And I'm getting at something much more simpler